

Land Development Regulations
Chapter 3-9. Zoning
Article II. Districts Regulations

Sec. 3-9-35. RMF-T

Sec. 3-9-34. Residential, multifamily/tourist (RMF-T).

(a) ~~Intent.~~ The residential, multifamily/tourist (RMF-T) district is intended to permit multifamily dwellings, apartments and tourist-related commercial facilities. The location of these districts are primarily along arterials as designated in the comprehensive plan and in resort areas on the barrier islands.

(b) ~~Permitted principal uses and structures.~~ The following uses and structures are permitted in this district:

(1) ~~All principal uses and structures permitted in RMF districts.~~

(2) ~~Hotels, motels and tourist accommodations.~~

(3) ~~Specialty shops.~~

(4) ~~Resort and sport marinas.~~

(5) ~~Adult congregate living facilities in accordance with section 3-9-63.1~~

(6) ~~Essential and emergency services.~~

(c) ~~Permitted accessory uses and structures.~~ Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district.

(d) ~~Prohibited uses and structures.~~ Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

(e) ~~Special exceptions.~~ (For procedure see section 3-9-7, "Special exceptions.") The following are special exceptions in this district:

(1) ~~Private clubs.~~

(2) ~~Restaurants, bars, cocktail lounges, taverns and nightclubs.~~

(3) ~~Package liquor stores.~~

(4) ~~Group home facilities and child and adult day care facilities.~~

(5) ~~Convenience stores.~~

(6) ~~Such other uses as determined by the zoning official or his/her designee to be:~~

a. ~~Appropriate by reasonable implication and intent of the district.~~

b. ~~Similar to another use either explicitly permitted in that district or allowed by special exception.~~

c. ~~Not specifically prohibited in that district.~~

The board of zoning appeals shall review a favorable determination of the zoning official under this provision at the time the special exception application is presented to it. An unfavorable determination of the zoning official or his/her designee shall be appealable pursuant to section 3-9-6 of these regulations.

(f) ~~Development standards.~~ The following development standards shall apply in this district:

Minimum lot requirements:

Area, square feet7,500

Width, feet80

Front yard, feet25

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Rear yard:

Abutting a lot, feet15

Abutting a road, feet25

Abutting water, feet20

Side yard:

Interior: 7.5 feet or half the building height, whichever is greater.

Abutting a road, feet15

Abutting water, feet20

Maximum lot coverage by all buildings, percent35

Maximum building height, feet38

Maximum density, units per acre6

~~Landscape buffers and screening shall be required in this district in accordance with the provisions of article XXII, chapter 3-5, of the Code, as the same shall be amended.~~

~~If the RMF-T district abuts a single family district, no structure other than screening required pursuant to article XXII, chapter 3-5, of the Code, shall be erected closer to the abutting single-family zoned property than twenty-five (25) feet or the building height, whichever is greater.~~

~~Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with section 3-9-98.~~

~~(g) Signs. Signs shall be in accordance with section 3-9-95~~

~~(h) Off-street parking. Off-street parking shall be in accordance with section 3-9-90~~

~~(Minutes of 12-8-81, § 7; Res. No. 85-286, § 1, 10-5-85; Res. No. 87-78, § 12, 5-19-87; Res. No. 87-254, § 19, 10-20-87; Res. No. 87-255, § 5, 10-20-87; Ord. No. 89-34, § 8, 5-31-89; Ord. No. 92-42, §§ 1, 2, 6-2-92; Ord. No. 94-55, § 16, 11-3-94; Ord. No. 2001-031, § 1(c), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)~~

Editor's note

~~These provisions were formerly found in § 3-9-33. The provisions of former § 3-9-34 are now found in § 3-9-35~~

Cross reference ~~Tree requirement for RMF-T district, § 3-2-188.~~

Sec. 3-9-35. Residential Multi-Family Tourist (RMF-T)

(a) Intent. The purpose and intent of this district is to permit multifamily dwellings and tourist-related commercial facilities.

(b) Permitted Uses (P) and Structures:

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(1) Assisted living facility or day care center, adult, six or less. (See Sec. 3-9-62. Adult Congregate Living Facilities)

(2) Bed and breakfast, 1 or 2 bedrooms.

(3) Bed and breakfast, 3 or more bedrooms.

(4) Duplex or triplex.

(5) Emergency services.

(6) Hotel, motel, inn.

(7) Manufactured home (DCA), minimum requirement is 150 miles per hour exposure C.

(8) Minor Home Occupation. (see Sec. 3-9-75. Home Occupations)

(9) Multifamily.

(10) Park, public or not-for-profit.

(11) Personal services.

(12) Single-family attached or detached. Detached single-family homes may or may not have a guest suite that is structurally attached with or without cooking facilities.

(13) Specialty shops.

(14) Telecommunications facility, 50 feet or less in height. (see Sec. 3-9-69. Communication Towers)

(c) Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted and conditional uses and structures are also permitted in this district, including but not limited to:

(1) Boat lifts.

(2) Fences or walls which may be permitted prior to the principal uses and structures.

(3) Carports, garages, and storage structures.

a. Detached accessory structures greater than 250 square feet in area shall be compatible in appearance with the primary residence, at a minimum, materials and color shall be compatible with the primary residence.

c. Detached accessory structures shall be located behind the leading edge of the living area of the residence except carports and garages, but must maintain required setbacks.

d. Construction trailers and cargo containers are prohibited.

For single-family development, additionally, the following requirements shall apply:

a. The total area of all detached accessory structures shall not exceed 10% of the parcel size or 1,000 square feet, whichever is greater.

(5) Guest suite, detached, consisting of living and sanitary facilities only. Cooking facilities shall not be permitted in a detached guest suite. It must meet all applicable development standards set forth in the zoning district.

(6) Keeping of pets, excluding animal breeding, boarding, and training.

(7) Noncommercial boat docks and boat ramps for residential uses.

(8) Swimming pools, tennis courts, or other similar noncommercial recreational uses and structures.

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(d) Conditional Use and Structures (C): (For rules and regulations for any use designated as a Conditional Use, see Sec.3-9-70. Conditional Uses and Structures)

(1) Assisted living facility or day care center, adult, seven or more. (see Sec. 3-9-62. Adult Congregate Living Facilities)

(2) Boarding, rooming house.

(3) Clubhouse.

(4) Marina.

(5) Nursing home.

(e) Prohibited Uses and Structures. Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

(f) Special Exceptions (S): (For procedure see Sec. 3-9-6.2. Special Exceptions)

(1) All conditional uses and structures that cannot meet all conditions set forth in this Code.

(2) Bar, cocktail lounge, nightclub, tavern.

(3) Campground.

(4) Clubhouse.

(5) Essential services. (see Sec. 3-9-72. Essential Services)

(6) General retail sales and services.

(7) Government uses and facilities.

(8) Leisure vehicle rental.

(9) Liquor, package store.

(10) Major Home Occupation. (see Sec. 3-9-75. Home Occupations)

(11) Paid or public parking lot, garage, structure.

(12) Place of Worship. (see Sec. 3-9-83. Places of Worship)

(13) Private clubs.

(14) Recreation, indoor.

(15) Recreational Vehicle use.

(16) Restaurant.

(17) Yacht clubs, country clubs, and other recreational amenities.

(18) Such other uses as determined by the Zoning Official or his/her designee to be:

a. Appropriate by reasonable implication and intent of the district.

b. Similar to another use either explicitly permitted in that district or allowed by Special Exception.

c. Not specifically prohibited in that district.

The Board of Zoning Appeals shall review a favorable determination of the Zoning Official under this provision at the time the Special Exception application is presented to it. An unfavorable determination of the Zoning Official or his/her designee shall be appealable pursuant to Sec. 3-9-6. Board of Zoning Appeals.

(g) Development Standards:

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<u>Lot (min.)</u>	
Area (square ft.)	<u>7,500</u>
Width (ft.)	<u>80</u>
<u>Setbacks (min. ft.)</u>	
Front	<u>25</u>
Side	
Interior	<u>7.5 or half the building height, whichever is greater</u>
Abutting a road	<u>15</u>
Abutting water	<u>20</u>
<u>Rear</u>	
Abutting a lot	<u>15</u>
Abutting a road	<u>25</u>
Abutting water	<u>20</u>
<u>Bulk (max.)</u>	
Lot Coverage of All Buildings	<u>40%</u>
Height (ft.)	<u>38</u>
Density (units/acre)	<u>6</u>

Landscape buffers and screening shall be required in this district in accordance with the provisions of Article XXII, Chapter 3-5, of the Code, as the same shall be amended.

If the RMF-T district abuts a single-family district, no structure other than screening required pursuant to Article XXII, Chapter 3-5, of the Code, shall be erected closer to the abutting single-family zoned property than 25 feet or the building height, whichever is greater.

Where properties lie anywhere on a barrier island or within 1,200 feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with Sec. 3-9-89, Waterfront Property.

(h) Signs. Signs shall be in accordance with Sec.3-9-86.

(i) Off-street parking. Off-street parking shall be in accordance with Sec. 3-9-80.